

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**MALIBU MEDIA, LLC,**

\*

**Plaintiff,**

\*

**CASE NO.**

**v.**

\*

**JOHN DOE subscriber assigned IP address \*  
108.31.28.249,**

\*

**Defendant.**

\*

**MOTION FOR LEAVE TO SERVE A THIRD PARTY  
SUBPOENA PRIOR TO A RULE 26(f) CONFERENCE**

Pursuant to Fed. R. Civ. P. 26(d)(1), and upon the attached: (1) Memorandum of Law in support of this motion; (2) Declaration of Colette Field in support of this motion; (3) Declaration of Patrick Paige in support of this motion; (4) Declaration of Daniel Susac in support of this motion; and (5) Chart of Verifications, Malibu Media, LLC (“Plaintiff”), respectfully moves for entry of an order granting it leave to serve a third party subpoena on Verizon Online, LLC, prior to a Rule 26(f) conference (the “Motion”). A proposed order is attached for the Court’s convenience.

Respectfully submitted,

**MALIBU MEDIA, LLC.  
PLAINTIFF**

By: /s/ Jon A. Hoppe  
Jon A. Hoppe, Esquire #6479  
Counsel  
Maddox, Hoppe, Hoofnagle &  
Hafey, L.L.C.  
1401 Mercantile Lane #105

Largo, Maryland 20774  
(301) 341-2580